

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RACHEAL A. CAIN

Defendant.

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8:21CR303

ORDER

This matter is before the court on defendant, Racheal A. Cain's Unopposed Motion to Continue Trial [68]. The court has been advised that the co-defendant does not object to the continuance. On the basis of the statements set forth in the motion, the undersigned magistrate judge finds good cause for the requested continuance.

Accordingly:

IT IS ORDERED that the Unopposed Motion to Continue Trial [68] is granted, as follows:

1. The jury trial, **for both defendants**, now set for September 20, 2022, is continued to **November 1, 2022**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and November 1, 2022**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).
3. **No further continuances will be granted without counsel for the parties requesting a hearing before the undersigned magistrate judge.**

DATED: September 6, 2022

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge